

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

HP INC., a Delaware corporation; and
**HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.**, a Texas limited
partnership,

Plaintiffs,

v.

ZTHY TECH INC., a California corporation;
batterymon16, an entity of unknown form;
ehome007, an entity of unknown form;
elecbrain15, an entity of unknown form;
Idallian, an entity of unknown form; **irelia_jt**,
an entity of unknown form; **lol-electronic**, an
entity of unknown form; **shop-siker**, an entity
of unknown form; **shunwei2014**, an entity of
unknown form; **sunflower-electronic**, an
entity of unknown form; **suntek-wireless**, an
entity of unknown form; **yolanda_dh1**, an
entity of unknown form; and **DOES 1
through 20**,

Defendants.

Case No. 1:19-cv-07210-RPK-RER

**DECLARATION OF LOUIS P.
FEUCHTBAUM IN SUPPORT OF
PLAINTIFFS' RESPONSE TO
DEFENDANTS' FAILURE TO FILE
OPPOSITIONS TO PRELIMINARY
INJUNCTION**

Judge: Honorable Rachel P. Kovner
Date: March 19, 2020
Time: 2:00 p.m.
Crtrm.: 4E-N

I, LOUIS P. FEUCHTBAUM, hereby declare that I am an attorney-at-law, duly admitted to practice in all of the courts of the State of New York, and of the Eastern District of New York. I am a partner at the law firm of Sideman & Bancroft LLP, located in San Francisco, California, attorneys of record for Plaintiffs HP, Inc. and Hewlett-Packard Development Company, L.P. in the above-captioned matter. The following information is based upon my own personal knowledge, unless stated on information and belief, and as to those matters, I believe them to be true. If called as a witness in this matter, I could and would competently testify to the following:

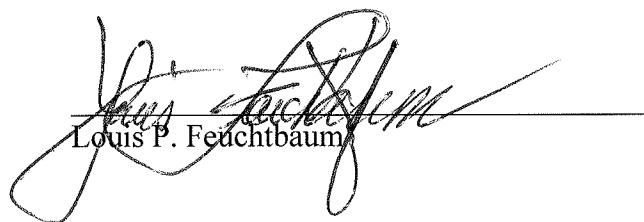
1. I have been informed by my assistant, Valerie Vitullo, who served certain defendants via email, and on that basis believe, that all emails by which Defendants were served were successfully transmitted. Ms. Vitullo informs me that she did not receive any delivery failure notifications that are ordinarily returned to a sender who transmits an email that is undeliverable.

2. Based upon my experience and previous interactions with PayPal, I understand that when a PayPal account is frozen, PayPal notifies the account holder that the account has been frozen, and it provides the account holder with contact information for the person who is responsible for freezing the account so that the account holder can address any issues or concerns with that person. In this case, I know that PayPal notified defendants in this matter about the asset freeze because I personally received emails from defendants: sunflower-electronic, lol-electronic, yolanda-dh1, and shunwei2014 inquiring about the asset freeze, most of which emails were sent prior to the time that Plaintiffs served defendants. After serving defendants, Plaintiffs sent each defendant an email to explore resolution of this matter. Not a single defendant replied to that email.

3. I have personally reviewed all transmittal emails through which defendants were served. Those emails contained a notification that explicitly identified all briefing and hearing dates set by Judge Donnelly in the Temporary Restraining Order. A true and accurate copy of one of those emails is attached hereto as Exhibit A. Each defendant served by email received notice identical to this one.

4. I have not received any communication from or on behalf of any defendant that would indicate the defendant intended to oppose the preliminary injunction. Further, it appears from ECF that no defendant has filed any such opposition.

Executed by me this 13th day of March, 2020 in San Francisco, California, subject to United States law imposing penalties for perjury .



Louis P. Feuchtbaum